IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

FIRST APPEAL NO.1611 OF 2007
WITH
CIVIL APPLICTION NO.5993 OF 2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

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Mr.A.N.Sawant for the appellant.

CORAM : ANOOP V. MOHTA,J.

DATED : 3rd July, 2007

P.C.

The present appeal is under Section 23 of the Railway Claims Tribunal Act, 1987 filed by the General Manager, Western Railway, Churchgate, Mumbai against the judgement dated 19.4.2005 passed by the Railway Claims Tribunal, Mumbai. Admittedly, based on the material available on record the Tribunal came to the conclusion that the respondent-claimant was a bonafide passenger on 18.11.2001 on Swaraj Express from Surat to Mumbai. It has been further observed that the respondent-claimant accidentally

fell down from the train and met with an untoward incident. Based upon this, the Tribunal has awarded a compensation of Rs.1,60,000/- as prescribed under the Railway Accidents and Untoward Incidents (Compensation) Rules, 1990 under the category of specified injury listed at Sr.No.22, Part III of the Schedule.

Taking all this into account and as such there is no perversity or any ground to interfere with the reasoning given, the appeal is dismissed.

In the result, the Civil application is also dismissed.

[ANOOP V. MOHTA,J.]